

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN PATRICK MOORE, II,

Plaintiff,

Case No. 19-CV-13616

vs.

HON. GEORGE CARAM STEEH

HEIDI WASHINGTON, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION [ECF No. 63]

Plaintiff John Patrick Moore, II is in the custody of the Michigan Department of Corrections. Moore filed this civil rights action on December 9, 2019 against Heidi Washington, Sherman Campbell, David Leach¹, Joseph Serafin, Steven Adamson, and Acting Warden Dave Shaver. Moore is a devout, practicing Sunni Muslim who alleges violations of his religious rights due to policies that limit his ability to wear a kufi in the prison. Moore sought preliminary injunctive relief on March 19, 2020 (ECF No. 13), which the Court denied (ECF Nos. 15, 32).

Moore moved for modification of the Court's order denying the motion for preliminary injunction pursuant to Fed. R. Civ. P. 54(b) (ECF No. 34).

¹ David Leach was terminated by stipulated order on January 15, 2021 (ECF No. 50).

Moore argues that the Court committed clear error by applying the wrong standard. Specifically, Moore contends that the Court applied the First Amendment substantial burden standard rather than the stricter standard under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). The magistrate judge issued a report and recommendation to deny Moore’s Rule 54(b) motion on June 28, 2021 (ECF No. 63).

No timely objections were filed to the report and recommendation. This Court agrees with and adopts the analysis conducted and recommendation made by the magistrate judge. Now, therefore, for the reasons stated by the magistrate judge, the recommendation is adopted as an order of the court.

IT IS HEREBY ORDERED that the report and recommendation (ECF No. 63) is adopted by the Court.

IT IS HEREBY FURTHER ORDERED that plaintiff’s motion to modify order denying preliminary injunction pursuant to Rule 54(b) (ECF No. 34) is DENIED.

Dated: July 27, 2021

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
July 27, 2021, by electronic and/or ordinary mail.

s/Leanne Hosking
Deputy Clerk